

Federal Aviation Administration, DOT

§ 99.31

facility, unless the flight plan states that no notice will be filed.

§ 99.17 Position reports; aircraft operating in or penetrating an ADIZ; IFR.

The pilot of an aircraft operating in or penetrating an ADIZ under IFR—

(a) In controlled airspace, shall make the position reports required in § 91.183; and

(b) In uncontrolled airspace, shall make the position reports required in § 99.19.

[Doc. No. 25113, 53 FR 18217, May 20, 1988, as amended by Amdt. 99-15, 54 FR 34331, Aug. 18, 1989]

§ 99.19 Position reports; aircraft operating in or penetrating an ADIZ; DVFR.

No pilot may operate an aircraft penetrating an ADIZ under DVFR unless—

(a) That pilot reports to an appropriate aeronautical facility before penetration: The time, position, and altitude at which the aircraft passed the last reporting point before penetration and the estimated time of arrival over the next appropriate reporting point along the flight route;

(b) If there is no appropriate reporting point along the flight route, that pilot reports at least 15 minutes before penetration: The estimated time, position, and altitude at which he will penetrate; or

(c) If the airport departure is within an ADIZ or so close to the ADIZ boundary that it prevents his complying with paragraphs (a) or (b) of this section, that pilot has reported immediately after taking off: the time of departure, altitude, and estimated time of arrival over the first reporting point along the flight route.

§ 99.21 Position reports; aircraft entering the United States through an ADIZ; United States aircraft.

The pilot of an aircraft entering the United States through an ADIZ shall make the reports required in § 99.17 or 99.19 to an appropriate aeronautical facility.

§ 99.23 Position reports; aircraft entering the United States through an ADIZ; foreign aircraft.

In addition to such other reports as ATC may require, no pilot in command of a foreign civil aircraft may enter the U.S. through an ADIZ unless that pilot makes the reports required in § 99.17 or 99.19 or reports the position of the aircraft when it is not less than one hour and not more than 2 hours average direct cruising distance from the United States.

[Doc. No. 25113, 53 FR 18217, May 20, 1988; 53 FR 21989, June 13, 1988]

§ 99.27 Deviation from flight plans and ATC clearances and instructions.

(a) No pilot may deviate from the provisions of an ATC clearance or ATC instruction except in accordance with § 91.123 of this chapter.

(b) No pilot may deviate from the filed IFR flight plan when operating an aircraft in uncontrolled airspace unless that pilot notifies an appropriate aeronautical facility before deviating.

(c) No pilot may deviate from the filed DVFR flight plan unless that pilot notifies an appropriate aeronautical facility before deviating.

[Doc. No. 25113, 53 FR 18217, May 20, 1988, as amended by Amdt. 99-15, 54 FR 34331, Aug. 18, 1989]

§ 99.29 Radio failure; DVFR.

If the pilot operating an aircraft under DVFR in an ADIZ cannot maintain two-way radio communications, the pilot may proceed in accordance with original DVFR flight plan or land as soon as practicable. The pilot shall report the radio failure to an appropriate aeronautical facility as soon as possible.

§ 99.31 Radio failure; IFR.

If a pilot operating an aircraft under IFR in an ADIZ cannot maintain two-way radio communications, the pilot shall proceed in accordance with § 91.185 of this chapter.

[Doc. No. 25113, 53 FR 18217, May 20, 1988, as amended by Amdt. 99-15, 54 FR 34331, Aug. 18, 1989]